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Biological weaponry to be by-passed by safety regulations

THE MINISTRY OF DEFENCE is trying to exempt the Porton Down Chemical Defence Establishment from new health and safety regulations concerning dangerous pathogens. Copies of official correspondence leaked to the *New Statesman* show that the MoD has been lobbying hard to avoid the onerous duty of telling the Health and Safety Executive where, how, and by whom are kept their stocks of the world's most unpleasant germs and viruses. The MoD link man with the Health and Safety Executive, R. T. Ravenscroft of the Procurement Executive, noted in a letter in January that 'it would obviously suit our book to have CDE exempted from the regulations'.

The *Dangerous Pathogen Draft Regulations*, which the HSE published last year, will become mandatory later this year. The purpose of the regulations is to control rigidly any facilities for handling pathogens. The viruses and bacteria involved are so rare as to have little use outside biological warfare development (or, as the MoD claims, biological warfare defence).

They include such vile viruses as Machupo and Crimean Haemorrhagic Fevers, Simian Herpes B, Lassa Fever and Venezuelan Encephalitis.

Not unreasonably, the draft regulations impose exacting requirements on the holders of pathogens, including the exact location of any virus stock, and the names and qualifications of all persons who may work on it. This greatly displeased Dr F. Beswick, head of Porton Down's new Defence Microbiology Division. Beswick told a joint meeting at Porton two months ago that:

full compliance with the notification requirements . . . could comprise national security.

His colleague Mr Ravenscroft feared that:

the proposed extension of powers . . . could lead to a situation where HSE has control of all experimental work

Ravenscroft has asked HSE to do a deal; if exemption is not available.

the next most ready solution is to reach some administrative arrangement with you . . .

Three HSE specialists visited Porton on 15 May and reported back on the activities of the Defence Microbiology Division. They noted that the Division was working on assessing 'the dangers presented by organisms which could be used as biological warfare agents', including 'growing batches of pathogens, measuring the stability of pathogens aerosols, and assessing the infectivity of such aerosols', and then developing 'counteragents'.

The HSE has moved towards reluctant agreement with the MoD proposal although it hasn't yet made up its mind. Mr W. Jones of HSE advised his colleagues in a minute last month:

there could be political difficulty . . . in that . . . CDE was being placed in a favoured position. . .

Those who do not like what is going on, or thought to go on, at CDE might well make this point.

He noted that HSE would then have to present the MoD's security case for it. Possibly, an unpublicised under-the-table deal with the MoD over exempting nuclear establishments — 'the Dunster-Macklen' agreement — could be extended to cover the situation.

HSE's policy branch apparently wants to steam ahead with exemption, and try to evade the consequences; the latest note eschews the publicity point:

we are under no obligation to publicise such decisions . . . although we ought to consult the workers concerned.

Sadly for the workers, the MoD's Mr Ravenscroft had already indicated that MoD would use a special provision to avoid disclosing alleged 'national security' information to workers' representatives.

An HSE representative told the *New Statesman* last week that exemption is 'still being considered.'